



Prescott Neighborhood Council (PNC)

Established in 1994

Celebrating over 30 Years

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Allen, et al.,
Plaintiffs,

City of Oakland, et al.,
Defendants.

Case No. C00-4599 WHO

**REBUTTAL TO CPA CASE MANAGEMENT STATEMENT
Submitted in Response to Dkt. 1701 and Related Exhibits**

Your Honor,

This submission addresses the case management statement filed by the Coalition for Police Accountability (CPA), Dkt. 1701, and supplements Defendants' filings with a focused review of Oakland Police Department's (OPD) long-term reform progress and the measurable outcomes sustained under the Negotiated Settlement Agreement (NSA). The CPA's characterization of OPD as institutionally resistant to reform omits critical facts from the official compliance record.

Contrary to CPA's claims, OPD has maintained full or near-full compliance with core NSA tasks related to use of force, supervision, and internal investigation practices:

- **Task 24 (Use of Force Reporting):** The Independent Monitor's Sixth and Eighth Sustainability Reports (2023 and 2024, respectively) affirm OPD's consistent compliance. The Eighth Report (Dkt. 1703, Ex. 1, p. 5) explicitly notes: "The Department continues to comply with Tasks 24 and 25," and that supervisory review of force incidents remains timely and thorough.
- **Task 25 (Use of Force Investigations):** Investigative integrity has been affirmed through continued compliance, including post-ransomware recovery where OPD maintained procedures and timelines (Dkt. 1703, Ex. 1, pp. 6–7).
- OPD achieved full compliance with **Task 45 (Consistency of Discipline)** in 2022 and retained it through 2024. The Independent Monitor found that disciplinary outcomes were consistently applied in accordance with the Disciplinary Matrix, with no indication of bias or systemic favoritism (Dkt. 1703, Ex. 1, p. 8).
- The current non-compliance finding is not rooted in Task 45 failure, but Task 2, stemming from a limited disciplinary appeal reversal in the Chief Armstrong matter. This does not reflect systemic regression.

The CPA statement minimizes key improvements in racial disparities:

- Black driver search rate disparities have dropped significantly since 2016. According to the Monitor's data and OPD's own stop data, the disparity between Black and White search rates narrowed from 1.6x in 2016 to 1.2x in 2024 (Dkt. 1703, Ex. 1, p. 14).



Prescott Neighborhood Council (PNC)

Established in 1994

Celebrating over 30 Years

- In 2024, Black drivers were less likely than White drivers to be arrested after a stop (Dkt. 1703, Ex. 1, p. 14), an unprecedented reversal from historical trends.

CPA implies that OPD resists oversight, but evidence indicates the opposite:

- The Department maintains publicly accessible dashboards for stop data, use of force, and internal investigations—a best practice in modern policing.
- OPD has fully integrated with civilian oversight bodies, including the Police Commission and CPRA. While the CPRA backlog is acknowledged in the filings (Dkt. 1701, p. 12), this is not a function of OPD operations, but rather external administrative capacity.

OPD has demonstrated that federally imposed oversight has successfully institutionalized reform. The prospect of ending the NSA is a function of that success, not a retreat from accountability. It is also critical to acknowledge the political context: segments of the CPA and affiliated organizations have publicly stated opposition to the police institution itself. Their reluctance to acknowledge OPD's progress may reflect this broader ideology rather than objective metrics. Ending the NSA should not be viewed as abandoning reform. It should be viewed as a transition to local governance accountability with state and charter-level oversight mechanisms now firmly in place.

We respectfully request that the Court weigh the CPA's concerns against the substantial compliance record presented in the Independent Monitor's reports and the Joint Case Management Statement. Federal oversight was meant to ensure reform; not entrench it as permanent governance. The City has demonstrated, through data, discipline, and transparency, that it is prepared for the next chapter.

Respectfully submitted,

/s/ Marcus A Johnson, Chair
Prescott Neighborhood Council

Empowering Community

The PNC has an open membership to all residents, businesses and organizations within the boundaries defined by OPD Beats 2Y & 5Y, which are the Outer and Middle Harbor (West), West Grand-Bay Bridge (North), Mandela Parkway (East) and the Inner Harbor (South).

As a neighborhood level City of Oakland, Police Department sponsored organization we meet to bring community members together to network and partner to resolve community issues together using best practices.

If you are a Prescott resident and want more additional information, how to join our meeting or be added to our mailing list, please send an email to:

prescott2y5ychair@gmail.com